

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Hinojosa

H.B. No. 4124

A BILL TO BE ENTITLED

AN ACT

relating to student enrollment in certain special-purpose districts and the allotment under the public school finance system for those districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.351, Education Code, is amended by adding Subsection (c) to read as follows:

(c) A special-purpose school district established under this section that is operated by a general academic teaching institution, as that term is defined by Section 61.003, may:

(1) in enrolling students or creating a waitlist for student enrollment, prioritize military-connected students, as that term is defined by Section 25.006(d); and

(2) enroll a student who:

(A) is a dependent of a member of the United States military;

(B) was previously enrolled in school in this state; and

(C) does not reside in this state due to a military deployment or transfer.

SECTION 2. Section 48.053(b), Education Code, is amended to read as follows:

(b) A ~~[For each student who resides in this state and is enrolled in the district, a]~~ school district to which this section

1 applies is entitled to funding under this chapter as if the district  
2 had no tier one local share for purposes of Section 48.256 for each  
3 student enrolled in the district:

4           (1) who resides in this state; or

5           (2) who:

6                   (A) is a dependent of a member of the United  
7 States military;

8                   (B) was previously enrolled in school in this  
9 state; and

10                   (C) does not reside in this state due to a  
11 military deployment or transfer.

12           SECTION 3. This Act takes effect September 1, 2021.

ADOPTED

MAY 26 2021

FLOOR AMENDMENT NO. \_\_\_\_\_

*Ratey Spaw*  
Secretary of the Senate

BY: \_\_\_\_\_

*Chris Famy*

Amend H.B. No. 4124 by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. Section 11.1511(b), Education Code, is amended to read as follows:

(b) The board shall:

(1) seek to establish working relationships with other public entities to make effective use of community resources and to serve the needs of public school students in the community;

(2) adopt a vision statement and comprehensive goals for the district and the superintendent and monitor progress toward those goals;

(3) establish performance goals for the district concerning:

(A) the academic and fiscal performance indicators under Subchapters C, D, and J, Chapter 39; and

(B) any performance indicators adopted by the district;

(4) ensure that the superintendent:

(A) is accountable for achieving performance results;

(B) recognizes performance accomplishments; and

(C) takes action as necessary to meet performance goals;

(5) adopt a policy to establish a district- and campus-level planning and decision-making process as required under Section 11.251;

(6) publish an annual educational performance report as required under Section 39.306;

(7) adopt an annual budget for the district as required under Section 44.004;

(8) adopt a tax rate each fiscal year as required under Section 26.05, Tax Code;

(9) monitor district finances to ensure that the superintendent is properly maintaining the district's financial procedures and records;

(10) ensure that district fiscal accounts are audited annually as required under Section 44.008;

(11) publish an end-of-year financial report for distribution to the community;

(12) conduct elections as required by law;

(13) by rule, adopt a process through which district personnel, students or the parents or guardians of students, and members of the public may obtain a hearing from the district administrators and the board regarding a complaint that must:

(A) unless otherwise provided by law, include:

(i) an initial administrative hearing; and

(ii) an opportunity to appeal the administrative decision following the initial hearing; and

(B) unless otherwise agreed to by the parties, provide for a resolution of the complaint not later than 120 calendar days after the date on which the complaint was filed;

(14) make decisions relating to terminating the employment of district employees employed under a contract to which Chapter 21 applies, including terminating or not renewing an employment contract to which that chapter applies; and

(15) carry out other powers and duties as provided by this code or other law.

SECTION \_\_\_\_\_. The board of trustees of a school district shall adopt a process for a hearing in accordance with Section 11.1511(b), Education Code, as amended by this Act, as soon as practicable after the effective date of this Act.

ADOPTED

MAY 26 2021

FLOOR AMENDMENT NO. 2

*Latey Law*  
Secretary of the Senate

*Chris Perry*

Amend H.B. No. 4124 by adding the following appropriately numbered SECTIONS to the bill and renumbering the subsequent SECTIONS of the bill appropriately:

SECTION \_\_\_\_\_. Section 38.154, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) A school district or open-enrollment charter school may include any person licensed under Chapter 201 or 453, Occupations Code, as a member of the district or charter school concussion oversight team, provided that the person meets the training requirement under Subsection (c).

SECTION \_\_\_\_\_. Section 38.156, Education Code, is amended to read as follows:

Sec. 38.156. REMOVAL FROM PLAY IN PRACTICE OR COMPETITION FOLLOWING CONCUSSION. A student shall be removed from an interscholastic athletics practice or competition immediately if one of the following persons believes the student might have sustained a concussion during the practice or competition:

- (1) a coach;
- (2) a physician;
- (3) a licensed health care professional;
- (4) a person licensed under Chapter 201 or 453, Occupations Code;
- (5) a school nurse; or
- (6) the student's parent or guardian or another person with legal authority to make medical decisions for the student.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 27, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** **HB4124** by Hinojosa (Relating to student enrollment in certain special-purpose districts and the allotment under the public school finance system for those districts.), **As Passed 2nd House**

<b>No fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** JMc, CMA, SL, CPA, AH

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 19, 2021**

**TO:** Honorable Larry Taylor, Chair, Senate Committee on Education

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE:** HB4124 by Hinojosa (Relating to student enrollment in certain special-purpose districts and the allotment under the public school finance system for those districts.), **As Engrossed**

<b>No fiscal implication to the State is anticipated.</b>
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**LBB Staff:** JMc, SL, CPA, AH



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 27, 2021**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Public Education

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4124** by Hinojosa (relating to student enrollment in certain special-purpose districts and the allotment under the public school finance system for those districts.), **Committee Report 1st House, Substituted**

<b>No fiscal implication to the State is anticipated.</b>
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**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** JMc, SL, AH, CPA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 19, 2021**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Public Education

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4124** by Hinojosa (Relating to enrollment in certain special-purpose school districts.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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**Source Agencies:** 701 Texas Education Agency

**LBB Staff:** JMc, SL, AH, CPA